

1 DAVID H. KRAMER, State Bar No. 168452
JOHN L. SLAFSKY, State Bar No. 195513
2 HOLLIS BETH HIRE, State Bar No. 203651
WILSON SONSINI GOODRICH & ROSATI
3 Professional Corporation
650 Page Mill Road
4 Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
5 Facsimile: (650) 565-5100
Email: dkramer@wsgr.com

6 Attorneys for Plaintiffs
7 Lucasfilm Ltd. and Lucasfilm
Entertainment Company Ltd.

8 William L. Osburn dba High-Tech Magic
9 2616 Colpepper Road
Abingdon, MD 21009

10 Defendant

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION
15

16 LUCASFILM LTD. and LUCASFILM)
ENTERTAINMENT COMPANY LTD.,)

17 Plaintiffs,)

18 v.)

19 WILLIAM L. OSBURN dba HIGH-TECH)
20 MAGIC, and DOES 1-10,)

21 Defendants.)
22)
23)

CASE NO.: C-06-07317 RMW (HRL)

STIPULATION RE: INJUNCTION
AND JUDGMENT

Judge: Hon. Ronald M. Whyte
Dpt: 6

24 WHEREAS, plaintiffs Lucasfilm Ltd. and Lucasfilm Entertainment Company Ltd.
25 (collectively, "Lucasfilm") filed a complaint against defendants William L. Osburn dba High-
26 Tech Magic ("Osburn") and Does 1-10 on November 28, 2006:
27
28

1 Pursuant to a Settlement Agreement, Lucasfilm and Osburn stipulate (themselves or
2 through their respective counsel) to the [PROPOSED] PERMANENT INJUNCTION attached
3 hereto as Exhibit 1 and to the [PROPOSED] JUDGMENT attached hereto as Exhibit 2.

4
5 SO STIPULATED:

6
7 Dated: December 18, 2006

WILSON SONSINI GOODRICH & ROSATI

8
9
10 By: /s/ David H. Kramer
David H. Kramer

11
12 Attorneys for Plaintiffs Lucasfilm Ltd. and
Lucasfilm Entertainment Company Ltd.

13
14
15 Dated: December 18, 2006

16 By: /s/ William L. Osburn
William L. Osburn dba High-Tech Magic

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

DAVID H. KRAMER, State Bar No. 168452
 JOHN L. SLAFSKY, State Bar No. 195513
 HOLLIS BETH HIRE, State Bar No. 203651
 WILSON SONSINI GOODRICH & ROSATI
 Professional Corporation
 650 Page Mill Road
 Palo Alto, CA 94304-1050
 Telephone: (650) 493-9300
 Facsimile: (650) 565-5100
 Email: dkramer@wsgr.com

Attorneys for Plaintiffs
 Lucasfilm Ltd. and Lucasfilm
 Entertainment Company Ltd.

William L. Osburn dba High-Tech Magic
 2616 Colpepper Road
 Abingdon, MD 21009

Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

LUCASFILM LTD. and LUCASFILM)	CASE NO.: C-06-07317 RMW (HRL)
ENTERTAINMENT COMPANY LTD.,)	
)	
Plaintiffs,)	[PROPOSED] PERMANENT
)	INJUNCTION
v.)	
)	
WILLIAM L. OSBURN dba HIGH-TECH)	Judge: Hon. Ronald M Whyte
MAGIC, and DOES 1-10,)	Dpt: 6
)	
Defendants.)	
)	
)	
)	

The Court, having reviewed and considered the Complaint filed on November 28, 2006 by plaintiffs Lucasfilm Ltd. and Lucasfilm Entertainment Company Ltd. (collectively, "Lucasfilm") against defendants William L. Osburn dba High-Tech Magic ("Osburn") and Does 1-10, and the Stipulation Re: Injunction and Judgment filed by Lucasfilm and Osburn, hereby

ORDERS:

1 a. that Osburn, High-Tech Magic, and all others in active concert or participation
 2 with them, be immediately and permanently enjoined from using any of Lucasfilm's trademarks,
 3 including, without limitation, the trademarks STAR WARS, LIGHTSABER, JEDI, THE
 4 FORCE, or DARTH MAUL, or any trademark that is likely to cause confusion with, or cause
 5 dilution of, any of Lucasfilm's trademarks;

6 b. that Osburn, High-Tech Magic, and all others in active concert or participation
 7 with them, be immediately and permanently enjoined from using Lucasfilm's Lightsaber Trade
 8 Dress (as defined in the Complaint) or any trade dress that is likely to cause confusion with, or
 9 cause dilution of, the Lightsaber Trade Dress, including but not limited to the advertising,
 10 offering for sale, or selling of Lightsaber swords and kits and/or parts designed to enable others
 11 to build Lightsaber swords;

12 c. that for a period of 18 months following the date of this Order, Osburn, High-
 13 Tech Magic, and all others in active concert or participation with them, shall be enjoined from
 14 advertising, offering for sale, or selling any facsimile of a lighted or glowing sword and from
 15 advertising, offering for sale or selling kits and/or parts designed to enable others to build
 16 facsimiles of lighted or glowing swords;

17 d. that the injunctions in paragraphs a, b, and c above include, but are not limited to,
 18 activity on the web site www.high-techmagic.com and/or any other web site operated or
 19 controlled by Osburn, High-Tech Magic, and all others in active concert or participation with
 20 them;

21 e. that within 10 days of this Order, Osburn, High-Tech Magic, and all others in
 22 active concert or participation with them, shall make available for inspection by Lucasfilm any
 23 and all facsimiles of lighted or glowing swords in their possession, and thereafter shall, at
 24 Lucasfilm's request, provide for the destruction of the infringing merchandise within 20 days of
 25 this Order and shall confirm to Lucasfilm in writing within 30 days of this Order that such
 26 destruction has occurred.

27 Dated: December____, 2006

28 By: _____
 Hon. Ronald M. Whyte, U.S. District Judge

EXHIBIT 2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 DAVID H. KRAMER, State Bar No. 168452
JOHN L. SLAFSKY, State Bar No. 195513
2 HOLLIS BETH HIRE, State Bar No. 203651
WILSON SONSINI GOODRICH & ROSATI
3 Professional Corporation
650 Page Mill Road
4 Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
5 Facsimile: (650) 565-5100
Email: dkramer@wsgr.com

6 Attorneys for Plaintiffs
7 Lucasfilm Ltd. and Lucasfilm
Entertainment Company Ltd.

8 William L. Osburn dba High-Tech Magic
9 2616 Colpepper Road
Abingdon, MD 21009

10 Defendant

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 LUCASFILM LTD. and LUCASFILM
ENTERTAINMENT COMPANY LTD.,

16 Plaintiffs,

17 v.

18 WILLIAM L. OSBURN dba HIGH-TECH
19 MAGIC, and DOES 1-10,

20 Defendants.

) CASE NO.: C-06-07317 RMW (HRL)

) [PROPOSED] JUDGMENT

) Judge: Hon. Ronald M Whyte
Dpt: 6

21
22
23 Judgment on the Complaint shall be entered in favor of plaintiffs Lucasfilm Ltd. and
24 Lucasfilm Entertainment Company Ltd. and against defendant William L. Osburn in the amount
25 of \$250,000.

26 IT IS SO ORDERED.

27 Dated: December____, 2006

28 By: _____
Hon. Ronald M. Whyte, U.S. District Judge

JUDGMENT

CERTIFICATION

I, David H. Kramer, am the ECF User whose identification and password are being used to file the STIPULATION RE: INJUNCTION AND JUDGMENT. In compliance with General Order 45.X.B, I hereby attest that all parties have concurred in this filing.

DATED: December 18, 2006

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ David H. Kramer
David H. Kramer

Attorneys for Plaintiffs Lucasfilm Ltd. and
Lucasfilm Entertainment Company Ltd.